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Remarks

Claim 2 has been amended to form an independent claim containing the limitations of as-filed claim 1, upon which it was previously dependent. This change is not felt to alter the scope of the claim. Claims 2 and 3 have been amended to more conveniently distinguish the two handles claimed. Support for this language is found throughout the specification; the arm handles are introduced in paragraphs [0011] and [0029], while the pivot handle is introduced in paragraphs [0010] and [0032].

New claims 9-15 have been added to form an independent series of claims which do not include the limitation of each of the arms having an arm handle, but do include the limitation of requiring a piston return means.

New claims 16-20 have been added to claim particular limitations in claims dependent on claim 1, without either of the limitations of requiring arm handles which extend parallel to the pivot axis or requiring piston return means.

The Examiner rejected claim 1 as being obvious based on the combined teachings of Powell and Converse. Applicant's representatives respectfully disagree for the following reasons.

Powell's disclosure is limited to a pair of opposed arms 14 affixed with respect to each other and rigidly extending from the jack. Each of these arms 14 has pivotally attached to the end thereof a short arm 16 which in turn is pivotally mounted to a claw 18. Note that Powell teaches a claw pivotally attached to an arm which in turn is pivotably attached to another arm that extends from the jack, and such teaches away from the structure set forth in claim 1.

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Converse teaches a support body 14 (which appears to be functionally the same as the combined cylinder 11 and arms 14 of the Powell wheel puller) with a pair of jaw members 16 and 17 pivotally attached to the opposite ends of the support body 14. This also teaches away from the structure as set forth in claim1. Furthermore, while Converse teaches biasing means 23 or 76, these means are connected to the support body 14 and engageable with the pivotally mounted jaw members 16 and 17, respectively. There is no teaching of how the spring biasing means of Converse, which are each engaged or connected between two pivoting elements, could be incorporated into the structure of Powell, where each of the pivotally mounted jaws is associated with a structure having three pivoting elements, rather than two. It is unclear which elements of the Powell structure the biasing means would be connected between, and unclear how the resultant biasing action would function with an additional degree of freedom in the pivoting elements. Thus, it is felt that there is no teaching or suggestion of how to combine the teachings of the two patents, and it is felt that there is no clear motivation to combine in view of the differences in structure.

Even if there were some teaching or suggestion as to how the biasing means of Converse could be incorporated into the Powell wheel puller, Applicant's representatives respectfully disagree that the proposed combination would make obvious the present invention as set forth in claim 1, since the proposed combination does not teach, claim or make obvious the structure set forth in claim1.

Claim 1 requires "a pair of arm members pivotably attached with respect to each other *about a pivot axis . . .* and a jack pivotably connected to said arm members *so as to pivot with respect thereto about said pivot axis*". Converse does not teach a jack having an extendible piston, and neither Converse nor Powell teach a jack that is pivotally connected to the arm members so as to pivot about an axis; rather, in both patents, the jack has arm members that

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extend rigidly therefrom, and the claws are pivotably mounted with respect to the ends of these fixed arm members.

For the reasons discussed above, it is not felt that there is any teaching or motivation in the prior art cited by the Examiner to combine the teachings, in view of the difference in structure in the two cited patents as to how the claws are connected to the rigid members extending from the jack. Furthermore, it is not felt that the prior art, considered either alone or in combination, teaches or suggests the present invention as set forth in claim 1.

Claims 2-8 were objected to for being dependent on a rejected base claim. Claim 2 has been amended to form an independent claim which includes the limitations of claim 1, upon which it was previously dependent. The Examiner stated that claims 2-8 would be allowable if so amended.

New claims 9-15 include the limitations of claim 1 which are discussed above, which should be sufficient to provide distinction over the prior art for the same reasons as discussed above with regard to claim 1. These claims also include the limitation of requiring piston return means for retracting the piston, providing further distinction over the prior art cited by the Examiner. Thus, it is felt that these claims should be clearly allowable.

New claims 16-20 are dependent on claim 1, and should be allowable for the reasons discussed above with regard to claim 1. Furthermore, these claims include additional limitations which are not taught in or suggested by the cited prior art. Claim 16 adds the limitation of having arm handles, but does not require them to be substantially parallel to the pivot axis, as does claim 2. This new claim is supported by paragraph [0011] of the specification, which sets forth the parallel orientation as being a preferred limitation. Claims 17-20 respectively add the

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limitations of arm springs connected between the arm members, an arm stop to limit the minimum angle between the arms, a pivot handle attached to the jack to allow pivoting it relative to the arm members, and means for maintaining the jack at a desired inclination to at least one of the arm members. None of these limitations are found in the prior art cited by the Examiner, and thus these claims are felt to provide additional distinction over the prior art.

With the above remarks, it is felt that the Examiner's rejection of claim 1 and objection to claims 2-8 has been overcome. It is further felt that new claims 9-20 should clearly be allowable. It is felt that the application is in a condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,
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